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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,116	01/15/2002	Cristi Nesbitt Ullmann	AUS920010907.US1	1294
7590	03/23/2005		EXAMINER	
Cynthia S. Byrd International Business Machines Corporation Intellectual Property Law Department 11400 Burnet Road, Internal Zip 4054 Austin, TX 78758			HANNE, SARA M	
			ART UNIT	PAPER NUMBER
			2179	
			DATE MAILED: 03/23/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

WU

Office Action Summary	Application No.	Applicant(s)
	10/047,116	ULLMANN ET AL.
	Examiner	Art Unit
	Sara M Hanne	2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 November 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


BA. HUYNH
PRIMARY EXAMINER

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment received on November 3, 2004. Amended Claims 1, 11 and 19 and originally presented claims 2-10, 12-18 and 20-28 are pending in the application.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. **It is important that the abstract not exceed 150 words in length** since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 7, 11-13, 17, 19-21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rust, US Patent 6535909.

As in Claims 1, 11 and 19, Rust teaches a system, method and computer program means enabling a user to interactively navigate the Web through a sequence of linked hypertext documents in a browsing session at a receiving display station (Web browsing session 100), means for recording on a real-time basis the interactive navigation of the user in the browsing session ("the Presenter in a collaborative Web browsing session to be able to record the presentation for playback at a later time.", Column 2, lines 35-36), means enabling a subsequent user to follow the path of the recorded navigation on a real-time basis in a surrogate browsing session on a display device ("allow any other person, who attended the live presentation or not, to replay the collaborative Web browsing session", Column 2, lines 47-49), and means enabling the subsequent user following the path of the recorded navigation in the surrogate session to modulate the real-time of the navigation on the display device ("playback a previously recorded collaborative Web browsing session with real time correlation", Column 2, lines 59-60 with the Playback Client 150). Rust discloses recording a browsing session, and enabling a subsequent user to follow the path of the recorded navigation on a real-time basis displaying web pages that were previously accessed by the first user as seen *supra*. Rust fails to explicitly state the subsequent user selecting a recorded but previously unselected hyperlink as recited in the claims. Within the field of the invention, it would be obvious to one of ordinary skill in the art to select any hyperlink, whether it be previously selected or unselected by the subsequent user

displayed on the webpage from the recorded session. One would have been motivated to make such a combination because an alternate path begun by viewing a recorded session would have been obtained.

As in Claims 2, 12 and 20, Rust teaches the recorded navigation including scrolling through a Web document (Column 6, line 2 et seq.).

As in Claims 3, 13 and 21, Rust teaches the recorded navigation including selecting a hyperlink in a displayed Web document to access and display the respective linked hypertext document (Column 5, line 30 et seq.).

As in Claims 7, 17 and 25, Rust teaches the surrogate session carried out off-line from the Web network (local events, Column 10).

4. Claims 4-6, 8-10, 14-16, 18, 22-24 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rust, US Patent 6535909, and further in view of Gupta et al., US Patent 6546405.

Rust teaches a means for recording and playback method for Website navigation that records a real-time line for the recorded navigation (Column 8, lines 5-13) as in Claims 4, 14 and 22 (see also Claim 1 rejection *supra*). While Rust teaches the means for recording a real-time line for the recorded navigation, they fail to show the means for displaying the recorded real-time line in the surrogate browsing session as recited in the claims. In the same field of the invention, Gupta et al. teaches a real time recording and playback multimedia device similar to that of Rust. In addition, Gupta et al. further teaches displaying the recorded real-time line in the surrogate session (Column 2, lines

40-42). It would have been obvious to one of ordinary skill in the art, having the teachings of Rust and Gupta et al. before him at the time the invention was made, to modify the real time Web browsing recording and playback method, system and computer program taught by Rust to include the displayed timeline of Gupta et al., in order to obtain a timeline display corresponding to user interaction with the Website. One would have been motivated to make such a combination because annotated, visually distinguishable tracking method would have been obtained, as taught by Gupta et al.

As in Claims 5, 15 and 23, Rust teaches the means enabling the user to insert time marks in the real-time line to indicate significant points in the browsing session (time marks are inserted in the time line, 'event log', by the user accessing web sites during the recorded browsing session. See Column 8, lines 9-11).

As in Claims 6, 16 and 24, Rust teaches the inserted time mark coinciding with the navigation reaching a specific hyperlink in a hypertext document during the browsing session (See the rejection of Claims 3 and 5 *supra*).

As in Claims 8, 18 and 26, Rust teaches a means enabling a user to interactively navigate the Web through a sequence of linked hypertext documents in a browsing session at a receiving display station, the means for recording on a real-time basis the interactive navigation of the user in the browsing session (See Claim 1 rejection *supra*) and the means for recording a real-time line for the recorded navigation (Column 8, lines 5-13).

As in Claims 9 and 27, Rust teaches a video cassette player and the navigation in the browsing session is recorded on video tape (Column 5, line 9 et seq.).

As in Claims 10 and 28, Rust teaches the display device as a computer controlled display having means for storing the recorded real-time interactive navigation (Figure 1, Playback Client 150 and display 196).

Response to Arguments

Applicant's arguments with respect to claims 1-28 have been considered but are not persuasive.

The argument that "There is nothing in the Rust teaching of such an interactive original selecting of an unselected unused hyperlink from the previously recorded Web browsing session." does not overcome the prior art. For a subsequent user viewing a previously recorded session, this session includes viewing webpages that have been previously selected by a first user, but which contain hyperlinks that may or may not have been previously selected. When the subsequent user is done viewing the previously recorded session, they are left with a recorded webpage, possibly containing hyperlinks, and as in any browsing session, hyperlinks are accessed at the user's discretion. This is also discussed in the reference Scherbier, US Patent 5944791 incorporated by reference from Rust (Col. 1, lines 53-55) in the teachings of the passenger/copilot as the subsequent user.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach additional time-line based Web browsing session recordings and playback methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh

BA HUYNH
PRIMARY EXAMINER